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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA

9 Plaintiff,

10 v.

11 JOHN EARL GRIFFIN,

12 Defendant.

Case No. CR11-301-RAJ

DETENTION ORDER

13 Defendant is charged with Conspiracy to Intentionally Access a Protected Computer
14 without Authorization with Intent to Defraud; access device fraud, aggravated ID theft; causing
15 or attempting to cause damage to a protected computer. On September 21, 2011 the Court,
16 conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f). Based upon the factual
17 findings and statement of reasons for detention below, the Court finds that no condition or
18 combination of conditions which the defendant can meet will reasonably assure the appearance
19 of the defendant as required and the safety of any other person and the community.

20 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

21 Defendant has lived in Washington for most of his life. However, over the last few years,
22 he has moved from place to place, never living in one residence for long. When contacted, his
23 close local relatives did not know where he lived. The government proffered that defendant is an

adept computer hacker and has caused hundreds of thousands of dollars of loss. There is no way to prevent him from accessing computers and hacking into them. He was arrested by police in 2010 and after his release could not be found. He evaded government attempts to serve him process for forfeiture proceedings and evaded arrest after the indictment in this case was filed. The evidence against defendant is strong as the government seized one of his computers and it contained clear evidence of criminal activity. Defendant faces an estimated 10 years of prison and thus has an incentive to flee. He has a serious drug abuse problem. He has a criminal history going back to 2002 and has failed to appear three times in the past.

It is therefore **ORDERED**:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services

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1 Officer.

2 DATED this 21st day of September, 2011.

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5 BRIAN A. TSUCHIDA
6 United States Magistrate Judge
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